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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/069,728    04/29/98    MURPHY    S    MICL.042

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EXAMINER

ALPHONSE, F

ART UNIT

PAPER NUMBER

2775

DATE MAILED:

07/18/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/069,728**

Applicant(s)

**Murphy**

Examiner

**Fritz Alphonse**

Group Art Unit

**2775**



☒ Responsive to communication(s) filed on Apr 24, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This is in response to applicant's amendment received on 4/24/00 in which claims 1-21 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1, 4-5, 10-12, 15-17, 20-21, are rejected under 35 U.S.C. 102(e) as being anticipated by Ueda (JP 4053034469 A).

As to claims 1, 12, 16 and 17, Ueda (figs. 1-3) show a method for entering data into a computer, comprising: anchoring an electrical cord (2) connecting a peripheral input device (1) to the computer positioning the peripheral input device; and retracting slack in the electrical cord as the peripheral input device is positioned (see abstract).

As to claims 10 and 11, Ueda (figs. 1-3) show a method, wherein retracting slack in the electrical cord includes retracting the slack into the peripheral input device and an anchor..

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As to claim 15, Ueda (figs. 1-3) discloses a method, wherein moving the peripheral input device includes moving a mouse and a pointer displayed by the computer.

As to claims 20 and 21, Ueda (figs. 1-3) show a method, wherein positioning the mouse includes positioning a pointer displayed by the computer and wherein retracting slack in the electrical cord includes retracting the slack into at least one of the mouse and an anchor.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda in view of Lundberg (U.S. Pat. No. 5,844,775).

As to claims 2-3, 4-9, 13-14, 18-19, Ueda does not teach anchoring the electrical cord includes anchoring the electrical cord to a desktop or a mouse pad and, wherein anchoring the electrical cord includes at least one of adhering and fastening an anchor to the desktop and a computer chassis.

However, in the same field of endeavor, Lundberg (figs. 10, 11, 12, 16, and 19) show a method, wherein, anchoring the electrical cord includes anchoring the electrical cord to a desktop and a computer chassis (see fig. 16); wherein anchoring the electrical cord includes at least one of

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adhering and fastening an anchor to the desktop; wherein anchoring the electrical cord includes anchoring the electrical cord to a mouse pad (16); wherein anchoring the electrical cord includes at least one of adhering and fastening an anchor to the mouse pad (16); wherein anchoring the electrical cord to the work surface includes anchoring the electrical cord to a desktop or a mouse pad (col. 3, line 46 through col. 4, line 10); wherein anchoring the electrical cord to the work surface includes at least one of adhering and fastening an anchor to the work surface.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to improve upon the mouse cable holder as taught by Lundberg because that would eliminate the excess of slack in the electrical cord which is a nuisance and, the cord is liable to knock over or otherwise bother whatever is sitting on the support table for the mouse pad.

### ***Conclusion***

6. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached form PTO-892.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

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(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703)308-6606 (for informal or draft communications, please label

"PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached on (703) 305-9720.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
F. Alphonse

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June 30, 2000

  
STEVEN J. SARAS  
SUPERVISORY PATENT EXAMINER  
GROUP 2700